United Nations A/60/390

General Assembly

Distr.: General
29 September 2005
English
Original: Chinese

Sixtieth session
Agenda item 115
Implementation of the resolutions of the United Nations

Letter dated 28 September 2005 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

During the just concluded general debate of the sixtieth session of the General Assembly, a very few countries once again raised the issues of so-called "Taiwan participation in the United Nations" and "peace in the Taiwan Straits". We strongly condemn and firmly oppose such an act of brazenly using the solemn forum of the United Nations to grossly encroach on China's internal affairs. I have been instructed to solemnly state China's position as follows:

1. There is only one China in the world. Taiwan is an inseparable part of China's territory. China's sovereignty and territorial integrity brook no division. The one-China principle has been recognized by the overwhelming majority of the Member States of the United Nations and the international community as well.

The issue of China's representation in the United Nations has long been solved once and for all. In 1971, the United Nations General Assembly at its twenty-sixth session adopted, by an overwhelming majority, the historic resolution 2758 (XXVI), which stipulated unequivocally that the representatives of the Government of the People's Republic of China are the only legitimate representatives of China to the United Nations. Since Taiwan is a region of China, China's representation in the United Nations naturally includes Taiwan. There is simply no such issue as the so-called "Taiwan's representation in the United Nations". Thus, the General Committee of the current session of the General Assembly once again rejected, on 13 September 2005, the inclusion of this issue and the so-called issue of "peace in the Taiwan Straits" in the agenda of the General Assembly.

2. The Chinese Government has consistently adhered to the basic policy of "peaceful reunification and one country, two systems" in seeking solutions to the Taiwan question and has advocated cross-Straits dialogues and negotiations on the basis of the one-China principle. For years, we have made unswerving efforts to promote cross-Straits relations. We have vigorously encouraged three direct links of trade, mail and air and shipping services, people-to-people contacts and cross-Straits exchanges and cooperation in the economic, educational, scientific, technological, cultural, public health and other fields. In 2004, cross-Straits trade volume reached

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78.3 billion United States dollars. In the same year, 3.68 million Taiwan compatriots visited the mainland and 145,000 people from the mainland visited Taiwan.

This year, thanks to our vigorous efforts, cross-Straits exchanges have witnessed significant progress. Leaders of the Chinese Kuomintang Party, the People First Party and the New Party paid successful visits to the mainland. The two sides had a sincere, frank and in-depth exchange of views on major issues relating to cross-Straits relations and inter-party ties, expressing their wishes to see an early restoration of cross-Straits dialogues and negotiations on the basis of the 1992 consensus. These visits help move cross-Straits relations towards peace and stability, thus receiving broad support from people on both sides of the Straits and winning full recognition of the international community.

3. The Chinese Government has been consistently engaged in maintaining peace and stability of the Taiwan Straits and achieving peaceful reunification of China. We wish more than anybody else to realize national reunification through peaceful means, and China wishes more than any other country to maintain peace and stability in the Taiwan Straits and the Asia-Pacific region. So long as there is a glimmer of hope for peaceful reunification, we will exert our utmost to realize it, and we will never give up. The legislation of the Anti-Secession Law by China's National People's Congress has a clear purpose, namely, to oppose and check Taiwan's secession from China by secessionists in the name of "Taiwan independence", promote peaceful national reunification, maintain peace and stability in the Taiwan Straits, preserve China's sovereignty and territorial integrity and safeguard the fundamental interests of the Chinese nation. The provisions in the law have given expression to our consistent position and proposition for the prospect of peaceful reunification with maximum sincerity and utmost efforts. They have also demonstrated the common will of the entire Chinese people to safeguard State sovereignty and territorial integrity.

It is the "Taiwan independence" secessionist activities perpetrated by the Taiwan authorities that are the real source of tension in the Taiwan Straits. The Taiwan authorities still refuse to recognize the 1992 consensus and restore dialogues and negotiations on the basis of the one-China principle. They have obstinately followed their secessionist position of "Taiwan independence" and tried everything possible to restrain people-to-people exchanges and contacts and carry out secessionist activities in the name of "Taiwan independence". It has been proven by ample facts that the secessionist activities in the name of "Taiwan independence" pose the biggest obstacle to the growth of cross-Straits relations as well as the biggest immediate threat to peace and stability in the Taiwan Straits and the Asia-Pacific region at large. The Taiwan authorities must abandon their secessionist position and stop all secessionist activities in the name of "Taiwan independence", so that peace and stability in the Taiwan Straits can be maintained.

To safeguard State sovereignty and territorial integrity and realize complete national reunification at an early date is the common aspiration and strong will of the 1.3 billion Chinese people, including our Taiwan compatriots. Nobody nor any force can change or stop it.

I have the honour to request that the present letter be circulated as a document of the sixtieth session of the General Assembly, under agenda item 115.

(*Signed*) **Wang** Guangya
Ambassador Extraordinary and Plenipotentiary
and Permanent Representative of the
People's Republic of China to the United Nations

United Nations A/60/391

General Assembly

Distr.: General
29 September 2005

Original: English

Sixtieth session
Agenda item 41
Report of the Economic and Social Council

Letter dated 27 September 2005 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the Seoul Declaration on Participatory and Transparent Governance, adopted at the Sixth Global Forum on Reinventing Government, held in Seoul from 24 to 27 May 2005 (see annex).

The Forum was organized by the Republic of Korea with the support of the Department of Economic and Social Affairs of the United Nations Secretariat, and was attended by 8,719 participants from 140 countries, including seven Heads of State and Government and 150 senior government officials, as well as several dozen high-level international leaders, business executives, heads of non-governmental organizations and academics.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the sixtieth session of the General Assembly under agenda item 41. The Permanent Mission of the Republic of Korea and co-sponsors will present a draft resolution on public administration under this agenda item.

(*Signed*) Young-jin **Choi**
Permanent Representative

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Annex to the letter dated 27 September 2005 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General

The Seoul Declaration on Participatory and Transparent Governance

Seoul, Republic of Korea, 24-27 May 2005

Preamble

1. The Sixth Global Forum on Reinventing Government, organized by the Government of the Republic of Korea in partnership with the United Nations, brought together representatives of governments, international organizations, businesses, civil society organizations and academia to discuss issues related to good governance. Distinguished speakers and panelists presented their experiences, ideas and insights during the six plenary sessions and nine workshops of the Forum.

2. We, the participants of the Sixth Global Forum on Reinventing Government, held in Seoul, Republic of Korea, from 24 to 27 May 2005 on the theme of "Toward Participatory and Transparent Governance," convey our sincere gratitude to H.E. President Roh Moo-hyun and the Government of the Republic of Korea for the successful preparation of the Forum and the hospitality extended to us. We also thank the Secretariat of the United Nations, which served as co-organizer, and participating international organizations for their invaluable support for this major global event.

Background

3. As profound changes continue to impact the public and private sector in many countries, governments now face an urgent need to transform the scope and conduct of their activities to meet these national, regional and global challenges. Governments are trying to adapt to the new environment caused by globalization, the spread of democratic processes, the information and communication technology (ICT) revolution and various other challenges to our economic and social development. The success of governments in this regard enhances socioeconomic development, as well as the trust and confidence of their people in governance.

4. As a result, many governments are in the process of reinvention, privatization, renovation, regulatory reform and building private-public partnerships. These transformations must be undertaken in ways that serve the needs of their people, particularly the poor, in a more transparent, participatory and responsive manner. In this regard, we congratulated the Government of the Republic of Korea and various other

governments for adopting and implementing participatory governance as their governing philosophy.

5. Taking note of the six Regional Forums on Reinventing Government that were organized in preparation for the Sixth Global Forum, we agreed that a comprehensive framework for good governance is necessary for sustainable social and economic development in which government, businesses and civil society work together to address challenges. We agreed that participatory and transparent governance and an emphasis on both economic development and social equity are the most important elements to be included in the new framework, which will be conducive to attaining internationally agreed development goals, including those contained in the Millennium Declaration.

6. Therefore, we, the participants of the Sixth Global Forum on Reinventing Government, have adopted this Declaration.

Recommendations

7. We agree that participatory and transparent governance is a timely topic for the Global Forum on Reinventing Government, as it has important implications for our common quest to resolve current political, social, economic and administrative problems. While each country must assess its own situation and determine the best ways to promote participatory and transparent governance, all actors in societies should work together to expand and promote participatory and transparent governance for the benefit of their people.

8. In this context, we agree that the successful implementation of participatory and transparent governance hinges upon the ability of governments to collaborate and cooperate with diverse actors in their societies, including businesses, trade unions, civil society organizations and individual citizens. By encouraging networking to create mutually reinforcing relationships and broad-based collaboration among all actors in society, governments can enhance governing capacity while ensuring that there are proper checks and balances among actors.

9. We recognize that eradicating poverty is the greatest challenge facing the world today and an indispensable requirement for sustainable development, particularly for developing countries. We recommend good governance within each country and at the international level to achieve internally agreed development goals.

10. We believe that all actors in the framework of participatory and transparent governance have individual and collective responsibilities for the promotion of good

governance and human development. Based on this understanding, our recommendations are arranged according to the following four themes: (1) government innovation and social integration, (2) market economy and corporate governance, (3) local governance and (4) civil society.

1) Government Innovation and Social Integration

11. We agree that governments must continue their efforts at reinvention by institutionalizing innovative practices and working in close cooperation with various actors in their societies to improve state capacity and scope of public services. To achieve these aims, governments should make use of tools such as ICT, performance-based management, results-based budgeting and enhanced oversight.

12. The innovative uses of ICT and the development of e-governance can enhance citizen and civil society participation in politics and policy-making processes, making government agencies more accessible, transparent and efficient. Institutions seeking public interests should be strengthened so that they can be more proactive in promoting participatory and transparent governance. This requires the development of sound performance indicators to evaluate planning, implementation and outcomes.

13. Governments must reduce the growing inequality between rich and poor, urban and rural, connected and unconnected. Those governments that face extreme poverty should formulate and implement bold national poverty reduction strategies to halve extreme poverty by 2015. Furthermore, governments must also make their best efforts to balance work and welfare, growth and distribution in order to enhance social harmony, integration and the overall quality of life for their citizens,

14. We agree that governments must take measures to enhance their capacities in preventing, managing and resolving conflicting interests among domestic groups. This requires that governments foster habits of cooperation based on mutual understanding and trust, while nurturing tolerance and respect for multiculturalism and cooperation among various actors in society.

2) Market Economy and Corporate Governance

15. To achieve sustainable economic growth and development, governments must take measures to establish a free and fair economic order. This requires governments to ease regulations that restrict competition and to strengthen supervision of the competition-restrictive practices of business firms. Standards and practices for accounting, auditing and non-financial disclosure should be enhanced through joint efforts between

governments and businesses in order to ensure proper corporate governance. Governments should also strengthen regulatory and disclosure rules to ensure that minority shareholders' interests are well protected.

16. Local firms should make efforts to improve their relationships with their communities, while multinational corporations should promote and enforce a higher standard of corporate ethics. Corporations must engage in fair transactions, respect local and international law, and remain aware of the consequences of their policies, positive and negative, for the communities and environments in which they operate.

17. We agree that governments should work together with businesses to encourage and enhance such private initiatives as anticorruption efforts and to ensure the equitable application of laws and regulations. Effective regulations and audits, both internal and external to individual firms, will help to identify and minimize unethical practices before they become endemic within a corporation, an industry, or a national economy.

18. Reform of state-owned enterprises (SOEs) needs to include the modernization of their decision-making processes and the adoption of innovative practices to improve their productivity. This requires the introduction of new systems that emphasize responsibility, accountability and performance-based management evaluation within SOEs.

3) Local Governance

19. We agree that good governance requires an appropriate level of decentralization, innovation and development of local government. Local administration can be made more effective and autonomous through the promotion of administrative and financial decentralization, digitalization of government, and results-based performance management. We welcome the efforts of the Government of the Republic of Korea to construct regional innovation systems (RIS) in which governments, industries and local universities work together for regional development.

20. We believe that holding local governments more accountable and making them more transparent are the keys to successfully building cooperation and partnership at the local level. The accountability of local governments should be reinforced through internal and external controls by various actors in society. Furthermore, to improve efficiency and public service ethics and to reduce corruption, we support measures to strengthen the evaluation systems and transparent operation of local governments.

4) Civil Society

21. Governments should recognize and engage civil society as a partner in the decision-making process and implementation of public policies. We agree that building constructive partnerships between states, businesses, and civil society is essential for achieving sustainable economic development. This requires all actors involved to accept and promote diversity among genders, races, ethnic groups, classes, religions, creeds, regions and cultures.

22. We recognize that civil society organizations (CSOs) can play an appropriate role in ensuring accountable, transparent and responsible government. This participation requires CSOs to find innovative ways to place citizens at the center of governance. We also agree that CSOs need to make use of ICT to improve productivity and make themselves more accountable and transparent to the people.

23. We realize that CSOs are important in creating and maintaining the social cohesion and sense of trust that are essential for the proper functioning of modern societies. We realize that by encouraging the participation of citizens in private, voluntary organizations, we can create greater trust in the public institutions with which CSOs engage.

24. Civil society should seek and develop new forms of civic engagement and involvement at a global level, in order to make decisions by intergovernmental organizations more transparent and democratic. It is important to realize that civil society within each nation will become more effective by sharing experiences and by networking with CSOs from other countries, while accepting diversity among partners around the world.

Follow-up Measures

25. We welcome the upcoming launch by the Ministry of Government Administration and Home Affairs of the Republic of Korea, together with the United Nations Department of Economic and Social Affairs, of a feasibility study for the establishment of the United Nations Governance Centre in Seoul. We firmly believe that this center, when established, will serve as an important regional and international focal point advancing research, disseminating necessary information, and providing training courses on reinventing government, including e-government, to civil servants, civil societies and businesses.

26. We believe that in the era of ICT, there is an urgent need to establish an online system to disseminate information on reinventing government. In this regard, we welcome the commitment of the Ministry of Government Administration and Home Affairs to consider the establishment of a portal site for online sharing of information on innovations and best practices on good governance.

Seventh Global Forum

27. We appreciate the hospitality of the Secretariat of the United Nations in hosting the Seventh Global Forum on Reinventing Government in 2006. We appreciate the contribution of the Government of Italy to the Global Forum workshops and also encourage it to continue its support for the Seventh Global Forum. We welcome the support of the Government of Republic of Korea for the Seventh Global Forum and request that other UN Member States and international organizations do so. [End]

United Nations A/60/392

General Assembly

Distr.: General
29 September 2005
English
Original: French

Sixtieth session
Agenda items 71 and 71 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Note verbale dated 27 September 2005 from the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

The Permanent Mission of Togo to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith the text of the communiqué issued on 26 September 2005 by the Government of Togo following the publication of the final report of the United Nations High Commissioner for Human Rights on the fact-finding mission to shed light on the violence and allegations of human rights violations that occurred in Togo before, during and after the presidential elections of 24 April 2005 (see annex).

The Permanent Mission of Togo would be grateful if the Secretary-General could bring this communiqué from the Government of Togo to the attention of the General Assembly, for consideration under agenda items 71 and 71 (b).

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Annex to the note verbale dated 27 September 2005 from the Permanent Mission of Togo to the United Nations addressed to the Secretary-General

Communiqué from the Government

The Government of Togo has taken note with interest of the publication, on Monday, 26 September 2005, of the final report of the United Nations High Commissioner for Human Rights concerning the fact-finding mission to shed light on the violence and allegations of human rights violations that occurred in Togo before, during and after the presidential elections of 24 April 2005.

The Government of Togo thanks the United Nations High Commissioner for Human Rights for this important contribution to the process of establishing the truth, even though a number of factual and analytical comments contained in the report may be imprecise, questionable or incorrect. Although the fact-finding mission did not conduct a detailed, in-depth investigation aimed at establishing the truth of the allegations that had come to its attention, the Government of Togo is pleased that the mission has reached conclusions that reflect its own beliefs.

The report indicates that before and during the presidential elections of 24 April 2005, and despite the climate of tension and conflict, only a few acts of violence and minor incidents such as the clashes of 15 April 2005 between militants belonging to the coalition and others belonging to the Rassemblement du Peuple Togolais (RPT) occurred between the death of President Gnassingbe Eyadema on 5 February 2005 and the polling day, 24 April 2005.

Accordingly, no major incident is reported to have occurred on 24 April 2005, the polling day, which generally took place peacefully and in an organized manner.

In addition, the report's conclusions regarding the post-electoral period, from 26 to 29 April, include the following remarks:

- "Militants belonging to the opposition were responsible for a number of actions which, whether planned or provoked, led to reactions from the security forces and RPT militants."
- On the one hand, "the announcement of provisional results, on 26 April 2005, marked the outbreak of the most serious acts of political violence and systematic violations of human rights. On 26 April 2005, following the announcement of provisional results by the Independent National Electoral Commission (CENI), indicating that the RPT candidate had won, opposition coalition militants and sympathizers began to commit acts of violence and erect barricades, dig trenches, sack and loot homes and businesses on the streets of Lomé and in the interior of the country and attack RPT members and sympathizers as well as Malian and Nigerian nationals.
- Coalition militants deliberately endangered the lives and property of foreign nationals residing in Togo as well as those of RPT militants and sympathizers.

- On the other hand, these "actions on the part of the opposition coalition led to responses from RPT militants as well as measures to restore order and security" (for reasons of State).
- During the day of 26 April 2005, "members of the military were manhandled and forced to hand over their weapons in some districts of Lomé".
- Clashes again broke out from 27 to 29 April 2005, both in Lomé and in the interior of the country, resulting in many deaths and injuries.
- These acts of violence gave rise to migrations of displaced persons and persons fleeing to Benin and Ghana.
- During the period under consideration, "foreigners, in particular Malian and Nigerian nationals, were victims of acts of aggression, looting and vandalism".
- "Preventive measures taken by the national authorities in response to the threats of violence and warnings of opposition leaders were insufficient."
- The response of the security forces in accomplishing their mission to restore security and order was excessive in relation to the actions and activities carried out by opposition militants.

In addition, the fact-finding mission reports that it has received statements from witnesses indicating that the number of deceased persons is between 400 and 500; this figure, however, is not supported by any evidence or proof. Nor is any distinction made between the number of deaths caused by one side or the other, with a view to establishing responsibility.

In addition to offering these remarks, the Government of Togo will examine the conclusions and recommendations of the United Nations High Commissioner for Human Rights together with those of the Special National Independent Inquiry Commission, in a spirit of openness and a willingness to find ways to deter and prevent the cycles of violence and unrest that have often marred elections in Togo, and to redress the problems leading to such misconduct. Likewise, the conclusions and recommendations will be duly considered within the framework of the national reconciliation process and other efforts to strengthen democracy and the rule of law, which the Government is determined to pursue in a spirit of openness and dialogue and a climate of relaxed tensions and renewed calm.

The conclusions and recommendations of the United Nations High Commissioner enjoin Togolese men and women, particularly the political leadership, to heed the republican values of mutual respect and respect for public property and the property of others, as well as the urgent need to combat impunity and irresponsibility and to renounce the use of violence and incitement to hatred and intolerance based on ethnic, regionalist or xenophobic considerations.

Specifically with regard to combating impunity, the Government of Togo notes that the mandate of the Special National Independent Inquiry Commission includes the assessment of the damages incurred by the State and those incurred by all other victims, with a view to taking adequate measures.

The Government of Togo is determined to pursue the institutional reforms already under way, in particular those related to justice, to restoring public confidence in the institutions of the Republic and to creating suitable conditions for responsible and effective political dialogue embracing all elements of Togolese society.

Lomé, 26 September 2005
The Government